

**DEPARTMENT OF HEALTH SERVICES  
LEGISLATIVE SUMMARY  
2004**

Compiled by the  
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# LEGISLATIVE SUMMARY 2004

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**2004 DEPARTMENT OF HEALTH SERVICES  
SPONSORED LEGISLATION**

<b><u>BILL #</u></b>	<b><u>AUTHOR</u></b>	<b><u>CHAPTER</u></b>	<b><u>SUBJECT</u></b>
AB 2301	Maze	57	Health Care for Indigents: Reports

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## ADMINISTRATION

SB 1757 Denham (Chapter 926)  
**STATE PROCUREMENT: VEHICLES**

SB 1757, sponsored by the author, requires that all contracts for the acquisition of motor vehicles or general use mobile equipment for state agencies, including each campus of the California State University, be made by, or under the supervision of, the Department of General Services (DGS). This bill allows DGS to collect a fee for their services. This bill also requests and encourages the University of California to follow these requirements.

SB 1842 Chesbro (Chapter 43)  
**BUDGET ACT OF 2003: CONTINGENCIES OR EMERGENCIES**

SB 1842, sponsored by the author, makes an appropriation in augmentation for the Budget Act of 2003, authorizing funds for current year deficiencies in the Department of Health Services, by the sum of one hundred seven million eight hundred ninety-eight thousand eight hundred eighty-one dollars (\$107,898,881).

## AUDITS AND INVESTIGATIONS

SB 1358 Escutia (Chapter 185)  
**MEDI-CAL: PROVIDER INSPECTIONS**

SB 1358, sponsored by the Office of the Attorney General, authorizes any agent, investigator, or auditor of the Attorney General's Bureau of Medi-Cal Fraud investigating fraud under the Medi-Cal program to inspect, at any time, the business location of any Medi-Cal provider for the purpose of investigating violations of the Medi-Cal program or patient abuse. This bill requires the Department of Justice to provide all investigators and auditors leading a facility inspection team with prescribed training.

SB 1359 Brulte (Chapter 394)  
**MEDI-CAL: NOTICES TO CONFIRM BENEFICIARY SERVICES**

SB 1359, sponsored by the Office of the Attorney General, requires the Department of Health Services, in conjunction with the Department of Justice, to verify that services billed for Medi-Cal fee-for-service benefits were actually provided by requesting confirmation of service from the beneficiary and from the rendering or referring provider.

SB 1360 Brulte (Chapter 395)  
**REWARDS FOR INFORMATION: RECOVERY OF MEDI-CAL FUNDS**

SB 1360, sponsored by the Office of the Attorney General, authorizes the Department of Justice to pay a reward for information leading to the recovery



of funds paid for services or goods rendered under the Medi-Cal program due to an act or omission by an individual or entity from which recovery is sought and that is the basis of a conviction of a Medi-Cal provider of services or goods in violation of certain criminal statutes within the jurisdiction of the Bureau of Medi-Cal Fraud and Elder Abuse.

## **HEALTH INFORMATION AND STRATEGIC PLANNING**

### **County Health Services and Local Public Health Assistance**

AB 2301      Maze (Chapter 57)  
**HEALTH CARE FOR INDIGENTS: REPORTS**

AB 2301, sponsored by the Department of Health Services (DHS), amends Section 16915 of the Welfare and Institutions Code to reduce Medically Indigent Care Reporting System (MICRS) reporting requirements. Counties must report county indigent health care data through MICRS to DHS in order to receive Proposition 99 (Tobacco Tax) funds through the California Healthcare for Indigent Program and the Rural Health Services Program. AB 2301 changes current reporting requirements of six reports to only one annual report per fiscal year.

### **Center for Health Statistics**

AB 2580      Goldberg (Chapter 947)  
**DOMESTIC PARTNERSHIPS**

AB 2580, sponsored by the author, makes technical changes to the recently enacted California Domestic Partner Rights and Responsibilities Act of 2003 to clarify that its provisions apply only to domestic partners registered with the State. The bill also clarifies that forms with contents specifically established in statute are included in the requirement that all public use forms must be revised to include appropriate references to domestic partner, parent, or state-registered domestic partnership.

SB 7              Brulte (Chapter 476)  
**MARRIAGE: SOLEMNIZATION: ARMED FORCES**

SB 7, sponsored by the author, authorizes a member of the armed forces who is stationed overseas serving in a conflict or war and is unable to appear for his or her marriage ceremony to enter into that marriage by the appearance of an attorney-in-fact in the county clerk's office with the party who is not stationed overseas.

## LEGAL SERVICES, OFFICE OF

AB 2445      Canciamilla (Chapter 882)  
**ADVANCED HEALTH CARE DIRECTIVES: REGISTRY**

AB 2445, sponsored by the author, requires the Secretary of State to issue an Advance Health Care Directive Registry identification card to persons who have filed their advance health care directives in the registry. It requires the Secretary of State to charge a fee to cover the costs of maintaining the registry. It exempts from the California Public Records Act all information filed in the registry, except when requested by a health care provider, a public guardian, or the registrant's legal representative. It also requires certain hospitals to check the registry for advance health care directives.

SB 1590      Dunn (Chapter 922)  
**PUBLIC RECORDS: PERSONAL INFORMATION**

SB 1590, sponsored by Planned Parenthood and the California Family Health Council, provides that the Department of Health Services, Department of Consumer Affairs and Department of Managed Health Care are not required under the California Public Records Act to disclose personal information regarding the employees, volunteers, boards members, owners, partners, officers, or contractors of a reproductive health services facility, if the employee, volunteer, board member, owner, partner, officer, or contractor notifies the department that the provision applies to them.

SCA 1      Burton (Resolution Chapter 1)  
**ACCESS TO GOVERNMENT INFORMATION**

SCA 1, sponsored by the California Newspaper Publishers Association and the California First Amendment Coalition, provides that the people have the right of access of information concerning the conduct of the people's business, and that the meetings of public bodies and writing of public officials and agencies shall be open to public scrutiny. It also provides that any statute, court order of rule limiting such access must provide findings for such limitation. It states these provisions do not supercede certain existing provisions relating to public access

## LEGISLATIVE AND GOVERNMENTAL AFFAIRS

AB 79      Dutra (Chapter 409)  
**WRITTEN REPORTS: PREPARATION**

AB 79, sponsored by the author, limits, until January 1, 2008, the number of written reports required to be submitted to the Legislature or the Governor, to those reports either specifically identified in the bill, or critical to the administration of the state, including reports mandated by court order, federal

law, or federal regulation, or required by, or necessary for the implementation of, the annual Budget Act.

SB 111 Knight (Chapter 193)  
**STATE REPORTING REQUIREMENTS**

SB 111, sponsored by the California Law Review Commission, amends state law to remove various obsolete references related to mandated reports by state agencies and pilot or demonstration projects.

SB 1103 Committee on Budget and Fiscal Review (Chapter 228)  
**BUDGET ACT OF 2004: HEALTH**

SB 1103, sponsored by the author, implements the provisions of the State budget for fiscal year 2004-2005, as it pertains to programs administered by the Department of Health Services (DHS), Department of Mental Health, Department of Developmental Services, Department of Managed Health Care, and the Managed Risk Medical Insurance Board. This bill provides for a moratorium on enrollment of Adult Day Health Centers as Medi-Cal providers; allows DHS to allocate federal bioterrorism preparedness and response funds to hospitals, clinics, emergency medical systems and poison control centers using agreements instead of contracts; provides authority for Medi-Cal managed care plans to be considered public entities and to create health authorities; creates special funds for the deposit of rebate funds for the AIDS Drug Assistance Program, the California Children's Services Program and the Genetically Handicapped Persons Program; authorizes DHS to contract and make commodity purchases for the production of BabyBIG; authorizes DHS to expand the Newborn Screening Program to cover screening for congenital Adrenal Hyperplasia and metabolic disorders by tandem mass spectrometry; extends the sunset date for the 250 percent Working Disabled Program until January 1, 2009; authorizes DHS to limit billing for nerve conduction tests, electromyography or other procedures for which DHS requires a certain residency or board certification; extends the sunset date for the carve-out of California Children's Services from Medi-Cal managed care plans until September 1, 2008; rescinds the five percent provider rate reduction for California Children's Services, Child Health and Disability Prevention, Genetically Handicapped Persons Program, Multipurpose Senior Services Program, and Breast and Cervical Cancer Early Detection Program; authorizes a new Medi-Cal pharmacy reimbursement methodology for prescription drugs; eliminates the Wage Adjustment Rate Program; identifies scope of service changes, clarifies the consolidation of audit reports and clarifies the process for retroactive and prospective scope of service payments for Federally Qualified Health Centers; authorizes DHS to implement a Treatment Authorization Request sampling methodology; requires counties to work error alerts on Medi-Cal eligibility data on a routine basis; clarifies that the existing authority to impose a quality improvement fee on Medi-Cal managed care plans would impose the fee on the plan's entire line of business, to comply with federal requirements; exempts the state from its statutory obligation to provide up to \$20.2 million to the County Medical

Services Program for Fiscal Year 2004-05; makes permanent the California Partnership for Long-Term Care program; requires DHS to reduce interim Medi-Cal reimbursement rates to non-contract hospitals, in order to effectively freeze hospital rates for Fiscal Year 2004-05, as required in AB 1762 (2003); and authorizes DHS to contain county Medi-Cal eligibility costs.

## **LICENSING AND CERTIFICATION**

AB 691      Daucher (Chapter 36)  
**NURSING FACILITIES: VACCINES**

AB 691, sponsored by Aventis Pasteur, requires a licensed skilled nursing facility, nursing facility or intermediate care facility to offer immunization by vaccine for influenza and pneumococcal disease to its residents, aged 65 or older, during a specified period each year. It requires the facility to be reimbursed the standard Medi-Cal rate for vaccines provided to recipients and to obtain informed consent for immunization services from the resident or person authorized to do so. It stipulates the department will consider efforts by the facility to comply prior to issuing a deficiency or citation.

AB 1299      Daucher (Chapter 825)  
**HOSPICES**

AB 1299, sponsored by the California Hospice and Palliative Care Association, authorizes hospices to provide “preliminary services”, including grief and bereavement services, to patients and their families who have not elected hospice care. It also clarifies that preliminary services may be provided concurrently with curative treatment, and requires that these preliminary services are subject to the Medi-Cal program schedule of benefits. In addition, this bill also requires licensed hospices to comply with the “Standards for Quality Hospice Care 2003”.

AB 1373      Daucher (Chapter 320)  
**NURSING HOME ADMINISTRATOR: LICENSING EXAMINATION**

AB 1373, sponsored by the California Association of Health Facilities, permits a citizen of the United States or a legal resident to qualify for licensure as a nursing home administrator.

AB 2127      Levine (Chapter 636)  
**ALZHEIMER’S DAY CARE – RESOURCE CENTER PROGRAM**

AB 2127, sponsored by ONEgeneration, requires that Alzheimer’s Day Care Resource Centers become licensed as either an adult day program or an adult day health care center along with other requirements.

AB 2184 Plescia (Chapter 342)  
**HEALTH FACILITIES: PHARMACY SERVICES**

AB 2184, sponsored by Cardinal Health Pharmaceutical and AmerisourceBergen, changes the existing conditions for usage of automated drug delivery systems in skilled nursing facilities and intermediate care facilities.

AB 2632 Bogh (Chapter 453)  
**HEALTH FACILITIES: CONSTRUCTION PLANS: APPROVAL**

AB 2632, sponsored by the California Association of Health Facilities, exempts certain hospitals', skilled nursing facilities', and intermediate care facilities' construction and alterations undertaken to repair systems or for routine maintenance from Office of Statewide Health Planning and Development plan review and inspection prior to construction under certain conditions.

AB 2791 Simitian (Chapter 270)  
**SKILLED NURSING AND INTERMEDIATE CARE FACILITIES**

AB 2791, sponsored by the author, requires skilled nursing facilities and intermediate care facilities to incorporate, within the existing training programs for nursing assistants and certified nursing assistants, instruction regarding preventing, recognizing, and reporting residents' rights violations. This bill also expands a resident's right to include "any" right set forth in federal or state law or regulation, and clarify that the provisions apply to both "current" and "former" residents.

AB 2820 Daucher (Chapter 632)  
**ADULT DAY HEALTH CARE: ADMINISTRATION**

AB 2820, sponsored by the California Department of Aging (CDA), repeals statute regarding the Long-Term Care Committee; removes references to the planning council and service areas; changes the definition of "rural service area"; authorizes the Director of the Department of Health Services to temporarily suspend an Adult Day Health Care center's license prior to a hearing when necessary to protect the health and safety of participants; removes the requirement for service area waivers; and permits the CDA to issue multiple certification extensions as needed.

AB 3044 Yee (Chapter 770)  
**PRENATAL ULTRASOUNDS**

AB 3044, sponsored by the author, requires any licensed health facility that provides prenatal ultrasounds to detect congenital heart defects to be performed by a sonographer who is nationally certified in obstetrical ultrasound by the American Registry for Diagnostic Medical Sonography, nationally certified in cardiac sonography by Cardiovascular Credentialing

International or credentialed in sonography by the American Registry of Radiologic Technologists.

SB 1745      Perata (Chapter 509)  
**MENTAL HEALTH REHABILITATION CENTERS**

SB 1745, sponsored by Crestwood Behavioral Health, Inc., permits a health facility to place any or all of its licensed bed capacity in voluntary suspension for the purposes of operating a licensed Mental Health Rehabilitation Center (MHRC) facility under the authority of the Department of Mental Health (DMH). It permits a health facility to voluntarily surrender its license for purpose of converting to a licensed MHRC. It allows a health facility, at any time, to reactivate its suspended license or bed capacity, and allows the licensed MHRC to remain under the jurisdiction of the Office of Statewide Health Planning and Development. This bill also provides the statutory authority for DMH, beginning January 1, 2005, to assess and collect application licensing fees to operate licensed MHRCs, and require that the fees be deposited into the General Fund.

## **MEDICAL CARE SERVICES**

### **Medi-Cal Managed Care**

AB 2716      Lowenthal (Chapter 454)  
**MEDI-CAL**

AB 2716, sponsored by L.A. Care, expands the definition of the phrase “strategic plan” to include subsequent revisions or amendments to the March 1993 report by the Department of Health Services entitled “The State Department of Health Services’ Plan for Expanding Medi-Cal Managed Care: Protecting Vulnerable Populations.” It also requires that the members of L.A. Care’s Board of Governors representing free and community clinics and federally qualified health centers to be nominated by the Community Clinics Association of Los Angeles County. Existing law authorizes the Los Angeles County Board of Supervisors to establish a commission for the provision of health care services under the Medi-Cal program in Los Angeles County. The authorization for the commission to operate a health care program is limited to the local initiative described in a strategic plan. L.A. Care is that local initiative Medi-Cal health plan. Although this bill refers to “the commission,” by extension it is amending L.A. Care’s governing statute.

SB 598      Machado (Chapter 463)  
**CONFIDENTIALITY OF MEDICAL INFORMATION**

SB 598, sponsored by the California Association of Marriage and Family Therapists, exempts disclosures made to health care providers, health plans, contractors or other health care professionals or facilities for purposes of diagnosis or treatment of the patient from current law restrictions regarding

the disclosure of medical information relating to the patient's participation in outpatient treatment with a psychotherapist.

## **Medi-Cal Policy**

AB 343      Chan (Chapter 234)  
**HEALTHY FAMILIES PROGRAM**

AB 343, sponsored by the Managed Risk Medical Insurance Board, prohibits individuals and organizations from soliciting or receiving compensation from a Healthy Families program applicant or subscriber for offering or providing assistance in completing a program application. It authorizes a civil penalty of \$500 per violation of this prohibition.

AB 932      Koretz (Chapter 88)  
**PODIATRIC MEDICINE**

AB 932, sponsored by the California Podiatric Medical Association, revises the statutory scope of practice for Doctors of Podiatric Medicine (DPM) by deleting a prohibition against DPM performing any amputation; by permitting DPMs to perform a partial amputation of the foot no further proximal than the Chopart's Joint (transverse tarsal joint); by authorizing a DPM to perform services under the direct supervision of a physician and surgeon, as an assistant at surgery, in surgical procedures that are otherwise beyond the scope of practice of a DPM; and by revising licensure testing and experience requirements.

AB 1367      Steinberg (Chapter 850)  
**MEDI-CAL: HIV/AIDS PHARMACY PILOT PROGRAM**

AB 1367, sponsored by the AIDS Healthcare Foundation, requires the Department of Health Services (DHS) to establish the HIV/AIDS Pharmacy Pilot Program in up to 10 pharmacies to evaluate the provision of medication therapy management service (MTMS) for people with HIV/AIDS, effective January 1, 2005, continuing until January 1, 2008. It requires the pilot project to provide the information necessary to assess the effectiveness of pharmacist care in improving health outcomes for HIV/AIDS patients. It also requires DHS to reimburse the pilot program participants an additional dispensing fee of \$9.50 per Medi-Cal prescription for services rendered after September 1, 2004.

AB 1629      Frommer (Chapter 875)  
**HEALTH AND DEPENDENT CARE FACILITIES**

AB 1629; sponsored by the California Association of Health Facilities, California Alliance for Retired Americans, California Alliance to Advance Nursing Home Care, Inc., and Service Employees International Union; imposes a quality assurance (QA) fee on certain freestanding skilled nursing facilities (SNFs) not to exceed six percent of the entire net non-Medicare

revenue of all SNFs subject to the fee; requires SNFs to include in each resident's care assessment the resident's projected length of stay, discharge potential, and preference to return to the community; lifts the rate freeze on freestanding SNFs in order to provide a cost of living adjustment in Fiscal Year 2004/05; requires the implementation of a facility-specific rate methodology by August 1, 2005; requires the collection of baseline information regarding staffing levels, nursing home worker wages/benefits, residents' care, residents' preference to return to the community, and citations; and requires a report to the Legislature on whether the new methodology appropriately reimburses facilities within specified cost categories, the impact of the new system on the General Fund, and the extent to which residents who expressed a preference to return to the community were able to do so. The QA fee and rate methodology sunset on July 31, 2008.

AB 1959      Chu (Chapter 938)  
**STATE AUDITOR: DRUGS**

AB 1959, sponsored by the author, requires the Bureau of State Audits (BSA) to audit the procurement and reimbursement of drugs by State agencies; including the Department of Mental Health, the Department of Corrections, the Department of the Youth Authority, the Department of Developmental Services, the Public Employees' Retirement System, and the Department of Health Services and to issue these audit reports to the Legislature no later than May 31, 2005. The bill also requires the BSA to provide the Legislature an analysis of the auditee's one-year status report on the implementation of the recommendations. The bill declares legislative intent that, if the results of the status report warrant further audits, the Joint Legislative Audit Committee will direct the BSA to perform additional audits and provide the Legislature additional audit reports by June 2007 and June 2009.

AB 2151      Jackson (Chapter 851)  
**MEDI-CAL: REIMBURSEMENT: COMMUNITY AND FREE CLINICS**

AB 2151, sponsored by Planned Parenthood Affiliates of California, defines the amount licensed community care clinics or free clinics can charge the Medi-Cal program for take-home drugs and contraceptive devices the clinics obtain at a discount price under the federal 340B program. This bill does not change the maximum rate of reimbursement the State will pay for these drugs and devices. This bill requires that clinics charge an amount equal to the lesser of their average annual acquisition cost plus a dispensing fee up to \$12 or their usual charge to the general public. Take-home drugs that will be used by the patient within five days or less may be billed at the lesser of the actual acquisition cost plus dispensing fee up to \$17 or the usual charge to the general public. The bill requires the Department of Health Services to reimburse these clinics for these drugs at the lesser of the amount the provider charges the programs or the Medi-Cal reimbursement rate, not to exceed the net price of these drugs or products provided by retail pharmacies under the Medi-Cal program. The bill does not apply to federally qualified



health centers (FQHCs) and rural health clinics (RHCs) that are reimbursed under the per-visit rate for FQHCs and RHCs.

AB 2816      Daucher (Chapter 455)  
**LONG-TERM CARE**

AB 2816, sponsored by the author, requires that (1) the California Health and Human Services Agency determine the appropriate single agency to provide oversight of the pending Adult Day Health Care waiver; and (2) the Department of Health Services determine the target percentage for the number of reviews of the Multi-Purpose Senior Services Program waiver to be conducted by the California Department of Aging.

AB 2821      Daucher (Chapter 661)  
**CARE FACILITIES: REFERRALS: MEDI-CAL PAYMENT FOR NON-  
COVERED SERVICES**

AB 2821, sponsored by the author, permits a relative of a skilled nursing facility resident to pay an additional amount of money to the facility to enable the resident to obtain specified services not covered by the Medi-Cal program. The bill prohibits the nursing facility from charging more for these services than is currently charged to private pay residents. In the case of additional bed hold days, this bill prohibits the facility from charging in excess of the Medi-Cal rate. The bill also prohibits referral for specified ancillary services to outside agencies when the nursing facility does not have employee staff that can provide the service(s), unless the nursing facility meets specified criteria.

AB 3023      Matthews (Chapter 351)  
**DISCIPLINARY ACTIONS: REPORTING**

AB 3023, sponsored by the author, requires boards that license and regulate healing arts practitioners to report within 10 working days, to the Department of Health Services the name and license number of a person whose license has been revoked, suspended, surrendered, made inactive by the licensee, or placed in another category that prohibits the licensee from practicing his or her profession. This bill defines "Board" as the Dental Board of California, the Medical Board of California, the Board of Psychology, the State Board of Optometry, the California State Board of Pharmacy, the Osteopathic Board of California, and the State Board of Chiropractic Examiners.

AB 3029      Matthews (Chapter 584)  
**MEDI-CAL PROVIDER REIMBURSEMENT**

AB 3029, sponsored by the author, prohibits a provider from submitting a Medi-Cal beneficiary's social security number on a claim when seeking reimbursement from the Medi-Cal program if a new Beneficiary Identification Card has been issued to the beneficiary which contains an identification

number and issue date. It exempts specified provider types and services from this prohibition.

AJR 61      Ridley-Thomas (Resolution Chapter 111)  
**PRESCRIPTION DRUGS**

AJR 61, sponsored by the author, asks the Secretary of the United States Department of Health and Human Services to certify to Congress that importation of prescription drugs from Canada will pose no additional risk to the public's health and safety and will result in significant reduction in the cost of prescription drugs.

AJR 62      Ridley-Thomas (Resolution Chapter 112)  
**PRESCRIPTION DRUGS**

AJR 62, sponsored by the author, calls upon the California delegation of the United States Senate and House of Representatives to sponsor and support legislation repealing any Medicare provision that would prohibit the federal government from negotiating fair drug prices as contained in a section of the federal Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173).

SB 29      Figueroa (Chapter 148)  
**MEDI-CAL: ACCELERATED ENROLLMENT**

SB 29, sponsored by the author, requires the Department of Health Services to adopt two electronic enrollment processes (the Prenatal Gateway and Newborn Hospital Gateway) within 12 months after the date upon which the staffing and funding conditions specified in the law have occurred.

SB 785      Ortiz (Chapter 389)  
**MEDI-CAL: MANAGED HEALTH CARE PLAN OPTION**

SB 785, sponsored by Local Health Plans of California, requires the Department of Health Services, upon availability of federal funding, to modify the Medi-Cal application, the joint Healthy Families/Medi-Cal application, and other appropriate materials, to include the Health Care Options toll-free number so that applicants in counties served by managed care plans can receive enrollment materials before a Medi-Cal eligibility determination is made.

SB 1196      Cedillo (Chapter 729)  
**HEALTH CARE APPLICATIONS**

SB 1196, sponsored by Children's Partnership: 1) authorizes counties to share the National School Lunch Program application and supplemental information with the Healthy Families Program (HFP) or to county- or local-sponsored health insurance programs when a child is determined ineligible for full-scope zero share of cost Medi-Cal (or is eligible for limited-scope

Medi-Cal), if the parent or guardian has provided consent; 2) requires schools that know that a child is already enrolled in Medi-Cal or HFP to not process an accelerated enrollment in Medi-Cal; however, require the application to be forwarded to the local Medi-Cal office; and 3) allows, at the schools' and counties' options, if the parent or guardian has provided consent, counties to share with schools the contact information of children who may lose their Medi-Cal eligibility because the parent had failed to provide required information to the county in order for schools to conduct outreach with these families.

SB 1845      Perata (Chapter 797)  
**ADULT DAY HEALTH CARE**

SB 1845, sponsored by the California Association for Adult Day Services, removes the current requirement that adult day health care (ADHC) clients request waivers to participate at centers outside their service areas, authorizes multiple extensions of Medi-Cal certifications, and authorizes the California Department of Aging to require an ADHC to submit a program plan as part of a Plan of Correction.

**Payment Systems**

AB 2313      Chan (Chapter 141)  
**HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT**

AB 2313, sponsored by the Office of HIPAA Implementation, extends the timeframe for the California Office of HIPAA Implementation, within the California Health and Human Services Agency, to determine the state laws that are pre-empted by the federal Health Insurance Portability and Accountability Act of 1996. Specifically, this bill extends the sunset date from January 1, 2005 to January 1, 2008.

AB 2390      Reyes (Chapter 347)  
**DENTISTRY**

AB 2390, sponsored by the California Primary Care Association, changes the rules under which a dental practice may be owned and operated. Entities such as primary care clinics that were previously prohibited from owning dental practices would become eligible for ownership of practices under specified circumstances. The bill changes the rules under which a Mobile Dental Clinic may be operated. These changes will affect licensure of dental practices and mobile units as enforced by the Dental Board of California.

# PREVENTION SERVICES

## AIDS, Office of

AB 685      Leno (Chapter 2)  
**HIV COUNSELORS: EDUCATION AND TRAINING**

AB 685, sponsored by the AIDS Healthcare Foundation, allows an HIV test counselor who successfully completes the HIV counselor training to be deemed to have demonstrated sufficient literacy and comprehension to advance to the limited phlebotomy technician (LPT) training and to substitute the completion of HIV counselor training for the requirement for a high school diploma or General Education Development (GED) equivalent, and revises the conditions under which an HIV counselor may perform these HIV tests. The bill requires the Department of Health Services' Office of AIDS and Laboratory Science Division to develop a comprehensive curriculum that integrates the training for an HIV counselor and a LPT that meets the standards set forth for LPT certification in the California Code of Regulations (CCR), Title 17, Section 1034(a).

AB 2352      Jackson (Chapter 121)  
**RESIDENTIAL CARE FACILITIES: LIFE-THREATENING ILLNESS**

AB 2352, sponsored by Sarah House, authorizes persons with a chronic, life-threatening illness, other than HIV or AIDS, to become a resident of a residential care facility for terminal illnesses if the person receives hospice services from a federally certified hospice.

SB 1159      Vasconcellos (Chapter 608)  
**HYPODERMIC NEEDLES AND SYRINGES**

SB 1159, sponsored by the Center for Policy Reform, creates the Disease Prevention Demonstration Project, to evaluate the long-term desirability of authorizing pharmacists to sell or furnish ten or fewer sterile needles and syringes, without a prescription. This provision sunsets on December 31, 2010. It requires pharmacies that make such sales to undertake prescribed activities including offering safe syringe disposal programs to ensure that these hypodermic needles and syringes are disposed of in an appropriate manner, and providing written information or verbal counseling on how to access drug treatment and testing and treatment of human immunodeficiency virus (HIV) and hepatitis C virus (HCV). The bill also requires that the Department of Health Services (DHS) evaluate the effects of allowing the sale of hypodermic needles or syringes without a prescription, and submit a report to the Governor and Legislature by January 15, 2010. It also encourages DHS to seek funding from private and federal sources to pay for the evaluation.

## Chronic Disease and Injury Control

AB 384      Leslie (Chapter 798)  
**TOBACCO PRODUCTS: CORRECTIONAL FACILITIES**

AB 384, sponsored by the author, prohibits the sale of tobacco products in correctional facility canteens and prohibits the possession of tobacco products by any person, including inmates and wards, under the jurisdiction of the Department of Corrections (DOC) and the California Youth Authority (CYA). It makes an exception for residential staff housing where inmates are not present and for approved religious ceremonies. Both DOC and CYA are required to adopt regulations to implement these prohibitions. This bill will become effective on July 1, 2005.

AB 658      Nakano (Chapter 562)  
**TAXPAYER CONTRIBUTIONS: PROSTATE CANCER RESEARCH FUND**

AB 658, sponsored by the California Coalition to Cure Prostate Cancer, enables taxpayers to designate on their tax returns that a specified amount, in excess of their tax liability, be transferred to the California Prostate Cancer Research Fund (PCRF) created by this bill. The Department of Health Services (DHS) is required to allocate the PCRF funds to the California Coalition to Cure Prostate Cancer to be used for prostate cancer research. No funds are to be used for the administrative costs of DHS. This bill provides that a voluntary contribution designation for this fund may not be added on the tax return until another voluntary contribution designation is removed from that return.

AB 1799      Mullin (Chapter 370)  
**INCOME TAXES: CONTRIBUTIONS: ALZHEIMER'S DISEASE**

AB 1799, sponsored by the California Council of the Alzheimer's Association, extends the sunset date on the Alzheimer's Disease and Related Disorders Research Fund income tax check-off from January 1, 2005 to January 1, 2010.

AB 2132      Reyes (Chapter 832)  
**PUPIL HEALTH: SELF-ADMINISTRATION OF ASTHMA MEDICATION**

AB 2132, sponsored by the author, authorizes a pupil to carry and self-administer prescription inhaled asthma medication during the regular school day with written consent from a parent, foster parent, or guardian and a written statement from a physician and surgeon providing details of the medication and confirming that the pupil is able to self-administer inhaled asthma medication. Written statements are required at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. The parental consent releases the school district and school personnel from civil liability. The bill subjects a pupil to disciplinary action under current law if inhaled asthma medication is used in a

manner other than as prescribed. AB 2132 is double-joined with SB 1912 (Ashburn) and the language has been made consistent with SB 1912.

AB 2139      Maze (Chapter 420)  
**VEHICLES: CHILD RESTRAINT SYSTEMS**

AB 2139, sponsored by SafetyBeltSafe USA, clarifies technical language in existing child passenger safety related vehicle codes.

AB 2185      Frommer (Chapter 711)  
**ASTHMA TREATMENT CARE**

AB 2185, sponsored by the author, requires a health care service plan that covers outpatient prescription drug benefits to provide coverage for inhaler spacers, nebulizers, and peak flow meters when medically necessary for the management and treatment of pediatric asthma.

AB 2193      Nation (Chapter 758)  
**TANNING FACILITIES**

AB 2193, sponsored by the California Society of Dermatology and Dermatologic Surgery, prohibits children under 14 years of age from using tanning devices. This bill retains the existing requirement that children between 14 and 18 years of age present a signed statement from their parent or legal guardian, as well as upholding the current safety regulations that obligate tanning facilities to provide knowledgeable staff operators, sanitized eyewear, tanning session timers, maximum session exposure times, and related requirements. Violations of this Act could result in civil penalties not to exceed \$2,500 per day.

AB 2248      Frommer (Chapter 945)  
**PARKINSON'S DISEASE REGISTRY**

AB 2248, sponsored by the American Parkinson's Disease Association, requires the Department of Health Services (DHS) to conduct epidemiological assessments of the incidence of Parkinson's disease and establish a system for the collection of information determining the incidence of Parkinson's disease. This bill: 1) requires the Director to submit an implementation and funding schedule to the Legislature by June 1, 2005; 2) requires the Parkinson's disease reporting system to be fully operational by July 1, 2007; and 3) encourages DHS to convene a task force to provide support and advice for the implementation and funding of the registry. The registry program will be implemented only to the extent that funds from federal or private sources are made available.

AB 3092 Horton J (Chapter 822)  
**CIGARETTES**

AB 3092, sponsored by the author, increases the fine for not posting the required signs about the appropriate age to buy tobacco products from \$10 for the first violation and \$50 for each subsequent violation to \$50 for the first violation, \$100 for the second violation, \$250 for the third violation, and \$500 for the fourth and subsequent violations. It allows wholesalers and distributors to sell tobacco products to tobacco retailers on Indian reservations and military bases. It provides the Board of Equalization with the authority to implement changes to the manner in which tax stamps and meter impressions are affixed to cigarette packages. It clarifies that each wholesaler and distributor in their sales invoices state that all California cigarette and tobacco product taxes are included in the total amount of the invoice, and it provides chaptering instructions should AB 3092 be enacted after AB 384 (Leslie).

SB 96 Alpert (Chapter 727)  
**PUBLIC WATER SYSTEMS: FLUORIDATION**

SB 96, sponsored by the California Dental Association, clarifies AB 733 (Speier, Chapter 660, Statutes of 1995), which created the California fluoridation mandate. SB 96 reaffirms that state law preempts local ordinances that may prohibit fluoridation. This bill requires local jurisdictions to submit new capital cost estimates to the Department of Health Services every ten years. It also stipulates that funding for fluoridation may go to any city on the State's priority funding schedule of cities, regardless of the city's position on that list. It clarifies which city may claim exempt status from the law and provides a process for dealing with potential cost overruns. It authorizes voluntary compliance with the law by allowing water systems to fluoridate even though they are not required to do so by the mandate.

SB 1173 Ortiz (Chapter 812)  
**TOBACCO PRODUCTS: SELF-SERVICE DISPLAY**

SB 1173, sponsored by the Office of the Attorney General, amends the Stop Tobacco Access to Kids Enforcement (STAKE) Act. It broadens the prohibition of cigarette sales by means of a self-service display to include any tobacco product or tobacco paraphernalia. The bill exempts "tobacco stores" from the ban on self-service tobacco displays. A "tobacco store" is defined as a retail business that meets all of the following requirements: 1) primarily sells tobacco products; 2) generates more than 60 percent of its gross revenues annually from the sale of tobacco products and tobacco paraphernalia; 3) does not permit any person under 18 years of age to be present or enter the premises at any time; and 4) does not sell alcoholic beverages or food for consumption on the premises. This bill does not permit any person under 18 years of age to be present or enter the premises at any time of a "tobacco store," unless accompanied by the person's parent or legal guardian, as defined in Section 6903 of the Family Code.

SB 1912 Ashburn (Chapter 846)

**PUPIL HEALTH: SELF-ADMINISTRATION OF MEDICATION**

SB 1912, sponsored by the California School Nurses Organization, authorizes a pupil to carry and self-administer prescription auto-injectable epinephrine during the regular school day with written consent from a parent, foster parent, or guardian and a written statement from a physician and surgeon providing details of the medication and confirming that the pupil is able to self-administer auto-injectable epinephrine. Written statements are required at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. The parental consent releases the school district and school personnel from civil liability. The bill subjects a pupil to disciplinary action if the pupil uses auto-injectable epinephrine in a manner other than as prescribed. SB 1912 is double-joined with AB 2132 (Reyes) and the language has been made consistent with AB 2132.

**Communicable Disease Control**

AB 1091 Negrete McLeod (Chapter 262)

**REPORTABLE DISEASES**

AB 1091, sponsored by the Health Officers Association of California and the California Lyme Disease Association, proposes to amend California Health and Safety Code Section 120130 to exempt from the Administrative Procedures Act, Government Code Section 11340 et seq., the process of establishing or changing the lists of diseases reportable by health care providers, local health officers, and clinical laboratories to enable timely and necessary changes to be made in response to urgent and rapidly changing public health circumstances. The bill also allows the Department of Health Services to use the same exempted process to specify the timeframe within which the diseases need to be reported, and it provides a 6-month “grace period” during which providers cannot be penalized for failure to report a newly listed condition.

AB 1454 Canciamilla (Chapter 41)

**VECTOR CONTROL**

AB 1454, sponsored by the Mosquito and Vector Control Association of California, requires state and local agencies (and encourages federal agencies) responding to an outbreak of West Nile virus or other mosquito-borne disease with an abatement and surveillance program to contract with a local vector control agency that is party to the Department of Health Services (DHS) Cooperative Agreement, or to consult directly with DHS. The bill has a sunset date of January 1, 2009.



AB 1982 Wolk (Chapter 553)

**WILDLIFE MANAGEMENT AREAS: MOSQUITO ABATEMENT**

AB 1982, sponsored by the author, requires a mosquito abatement district to notify the Department of Fish and Game (DFG) when its wildlife management areas have mosquito populations that exceed established thresholds. For each of these identified areas, DFG is required to identify and implement, as practicable, “best management practices” (BMPs) to reduce mosquito populations, and the mosquito abatement district is required to document BMP effectiveness, report pesticide applications, and make recommendations for refining BMPs to reduce the need for chemical treatments or other non-ecological controls. For DFG wetlands outside the jurisdictional boundaries of a mosquito abatement district, DFG may consult with the Department of Health Services to determine which BMPs could be effectively implemented. This bill will remain in effect only until January 1, 2010, unless extended.

AB 2943 Pavley (Chapter 837)

**MERCURY-CONTAINING VACCINES**

AB 2943, sponsored by the author, prohibits, beginning July 1, 2006, a person who is knowingly pregnant or who is under three years of age from being vaccinated with a mercury-containing vaccine or injected with a mercury-added vaccine that contains more than 1.0 micrograms of mercury per 0.5 milliliter dose. The bill provides certain exemptions to the prohibitions in the case of bioterrorism incidents or public health emergencies.

SB 1051 Committee on Local Government (Chapter 38)

**VECTORBORNE DISEASE ACCOUNT**

SB 1051, sponsored by the author, restores and renames the Department of Health Services’ Mosquitoborne Disease Surveillance Account as the “Vectorborne Disease Account.”

SB 1764 Speier (Chapter 259)

**IMMUNIZATION INFORMATION SYSTEMS**

SB 1764, sponsored by the California Coalition for Childhood Immunization, permits foster care agencies and juvenile courts to share client records with the immunization registries. It permits notification to parents and guardians of their children’s participation in immunization registries both by mail and during their children’s hospitalizations. It also requires the Department of Health Services to assist its Immunization Branch with the provision of department records containing information about publicly funded immunizations, and to support efforts for the reporting of publicly funded immunizations into immunization information systems by health care providers and health care plans on information relating to publicly funded immunizations. It also includes government-funded health care programs in the definition of “health care plan” for Health and Safety Code Section 120440 pertaining to the immunization registry system.

SB 1847 Perata (Chapter 283)  
**OMNIBUS TUBERCULOSIS CONTROL AND PREVENTION ACT**

SB 1847, sponsored by the Health Officers Association of California: 1) extends the repeal date in Health and Safety (H&S) Code Section 121360.5 from January 1, 2006, to January 1, 2011. H&S Code Section 121360.5 allows any local health department to provide for a one-year certification of tuberculin skin test (TST) technicians by local health officers. A certified TST technician is an unlicensed public health worker employed by, or under contract with, a local health department to place and measure TSTs; 2) requires each county or city participating in the program on or after January 1, 2005, to report program evaluation information to the California Tuberculosis Controller's Association and the appropriate policy and fiscal committees of the Legislature; and 3) requires local health officers to report to the Department of Health Services any adverse events determined to result from improper TST technician training or performance.

**Drinking Water and Environmental Management**

AB 1876 Chan (Chapter 709)  
**PUBLIC BEACH SANITATION**

AB 1876, sponsored by Save the Bay, amends existing law to require regular water quality monitoring of recreational areas along the San Francisco Bay shoreline.

AB 1934 Leslie (Chapter 374)  
**BEAR LAKE RESERVOIR: RECREATIONAL USE**

AB 1934, sponsored by Alpine County, allows body contact recreational activities in Bear Lake Reservoir provided that certain conditions relating to water treatment and monitoring are conducted. This bill specifies that body contact is prohibited until all conditions are satisfied. This statute will be repealed on January 1, 2007, unless a later enacted statute deletes or extends that date.

AB 2342 Jackson (Chapter 678)  
**DRINKING WATER: PUBLIC HEALTH GOALS**

AB 2342, sponsored by Environmental Working Group, requires the Office of Environmental Health Hazard Assessment to consider additional health risk data and criteria regarding infants and children in establishing public health goals for contaminants in drinking water.

AB 2439 Haynes (Chapter 519)  
**CANYON LAKE RESERVOIR: RECREATIONAL USE**

AB 2439, sponsored by the Elsinore Valley Municipal Water District, allows, until January 1, 2008, body contact recreational activities in reservoirs within Elsinore Valley Municipal Water District provided that certain conditions are satisfied regarding the subsequent use of the water for drinking water purposes.

AB 2528 Lowenthal (Chapter 679)  
**PUBLIC WATER SYSTEMS**

AB 2528, sponsored by the Metropolitan Water District of Southern California, requires all public water systems to notify the appropriate local governing bodies when contamination is detected in drinking water sources that exceed a drinking water standard or other contaminant levels established by the Department of Health Services.

SB 117 Machado (Chapter 716)  
**WATER SECURITY, CLEAN DRINKING WATER, COASTAL AND BEACH PROTECTION ACT OF 2002**

SB 117, sponsored by the author, mandates that all participating Proposition 50 (Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002) departments/agencies, to the maximum extent feasible, provide outreach to disadvantaged communities to assist those communities in accessing relevant grant application and award information.

SB 419 Scott (Chapter 477)  
**MEDICAL WASTE: CONTAINMENT**

SB 419, sponsored by the California Healthcare Association, allows all types of medical wastes to be consolidated at their point of generation as long as the waste is treated by high heat technology approved by the Department of Health Services.

SB 1362 Figueroa (Chapter 157)  
**SOLID WASTE: HOUSEHOLD HYPODERMIC NEEDLES, SYRINGES AND LANCETS: DISPOSAL**

SB 1362, sponsored by the Alameda County Sharps Coalition, allows city and county household hazardous waste elements to include a program for the safe collection, treatment, and disposal of sharps waste from households. It defines sharps waste generated by households and allows for their handling under local household hazardous waste programs, if desired. The sharps collection activities at the household hazardous waste facility will be permitted as a home-generated sharps consolidation point under the Medical Waste Management Act.

## **Food, Drug, and Radiation Safety**

AB 3027      Committee on Agriculture (Chapter 314)  
**CANNERIES: INSPECTION**

AB 3027, sponsored by the California League of Food Processors, changes the funding source of the Botulism Control Program from General Fund Reimbursable to a Special Fund and would establish the Cannery Inspection Fund as a Special Fund in the State Treasury. The bill requires all moneys received by the Department of Health Services related to canneries be deposited in the fund and be expended from the fund only for the purpose of continued operation of the Botulism Control Program for cannery licensing, inspection, and enforcement actions.

SB 1444      Speier (Chapter 859)  
**DIETARY SUPPLEMENTS: STEROID HORMONE PRECURSORS**

SB 1444, sponsored by the author, makes it a misdemeanor for a retail store to sell a dietary supplement that contains certain potentially harmful chemicals to a person less than 18 years of age. The bill exempts retail clerks from civil penalties associated with violations of the proposed section of the Sherman Food, Drug, and Cosmetic Law.

SB 1623      Johnson (Chapter 337)  
**LABORATORIES: LICENSING AND ACCREDITATION**

SB 1623, sponsored by the California Association of Crime Laboratory Directors, eliminates the Department of Health Services' (DHS) authority to license laboratories performing testing to determine blood alcohol concentrations of persons involved in traffic accidents or traffic violations. DHS retains responsibility of assuring that chemical testing in support of drunk driving laws is competently performed, but loses its authority to inspect these laboratories and to suspend, revoke, deny, or take disciplinary action against a laboratory's license. The bill requires all laboratories to meet specified proficiency test requirements. It also requires DHS to revise its current regulations in accordance with the findings of an eight-member review committee, but authorizes the California Health and Human Services Agency to disapprove the revisions.

SB 1765      Sher (Chapter 927)  
**PHARMACEUTICALS: MARKETING PRACTICES**

SB 1765, sponsored by the California Public Interest Research Group, requires pharmaceutical companies to adopt a Comprehensive Compliance Program (CCP) that includes specific annual dollar limits on gifts or incentives provided to medical or health care professionals. The bill allows certain exemptions from the dollar limits and requires pharmaceutical companies to provide specified information about their CCP to the public.

## **Laboratory Science**

### **AB 371      La Suer (Chapter 14) BLOOD TESTS**

AB 371, sponsored by the El Cajon Police and Sheriff's Association, permits a Certified Phlebotomy Technician (CPT) to work outside the employment of a clinical laboratory. It authorizes a CPT to withdraw blood at the direction of a peace officer, at certain locations for forensic blood alcohol or drug testing. It requires that a licensed physician and surgeon be responsible for documenting the competency of a CPT performing phlebotomy for forensic purposes, for setting policies and procedures for performing phlebotomy, and to assure the activities of a CPT are consistent with state regulations.

### **AB 1087      Frommer (Chapter 18) VENIPUNCTURE**

AB 1087, sponsored by the Coalition of Paramedical Groups, permits a Certified Phlebotomy Technician (CPT) to work outside the employment and control of a clinical laboratory when specific conditions are met. It authorizes a CPT to withdraw blood for non-diagnostic testing, for insurance purposes, when under the general supervision of a California licensed physician and surgeon. The physician and surgeon may delegate the general supervision duties to a registered nurse, or a person licensed as a clinical laboratory scientist, but remains responsible for all duties performed by the CPT.

### **AB 2409      Yee (Chapter 808) CLINICAL LABORATORY SCIENTISTS**

AB 2409, sponsored by the author, authorizes the Department of Health Services to issue cytogenetic scientist licenses to persons who passed a national certification examination on or before December 31, 1991, who have had at least seven years experience performing cytogenetics testing in California, and who meet federal regulatory requirements for personnel performing high-complexity testing.

### **AB 2436      Bates (Chapter 450) CLINICAL LABORATORY TESTING**

AB 2436, sponsored by Quest Diagnostics, clarifies existing law that allows a non-diagnostic general health assessment (NGHA) program to perform laboratory tests to screen persons for chronic diseases such as diabetes and high cholesterol, under the oversight of county health officers. This bill defines a health fair to distinguish it from NGHA programs.

SB 1355      Aanestad (Chapter 735)  
**CLINICAL LABORATORIES: CYTOTECHNOLOGISTS**

SB 1355, sponsored by the CYTYC Corporation, increases the limit of slides a cytotechnologist may screen when using Food and Drug Administration (FDA)-approved devices for use in screening gynecological slides. Additionally, the bill requires the Department of Health Services (DHS) to review published evidence-based peer review journal articles on the performance of FDA-approved screening devices to determine if workload limits established for the equipment will increase the error rate of persons reading these slides. If an increased error rate were determined, the bill allows DHS to issue new regulations consistent with federal law. The provisions of the bill shall sunset January 1, 2008, unless new legislation is introduced.

## **PRIMARY CARE AND FAMILY HEALTH**

AB 1298      Hancock (Chapter 750)  
**GENETICALLY HANDICAPPED PERSON'S PROGRAM: CALIFORNIA  
CHILDREN'S SERVICES PROGRAM: CONTRACTS: CONFIDENTIALITY**

AB 1298, sponsored by Bayer Healthcare Corporation, exempts the contracts entered into between blood factor manufacturers and the Genetically Handicapped Persons Program and California Children's Services program from disclosure under public records laws. In addition, the bill requires that manufacturers calculate and pay interest on late or unpaid rebates.

AB 1881      Berg (Chapter 655)  
**INTEGRATED HEALTH AND HUMAN SERVICES PROGRAMS**

AB 1881, sponsored by the author, extends until January 1, 2009, a program that allows Alameda, Humboldt and Mendocino Counties to fund and deliver services and benefits through an integrated, comprehensive county health and human services program. The bill also allows any additional counties, as determined by the Secretary of the California Health and Human Services Agency, to participate in the program.

AB 2026      Hancock (Chapter 134)  
**YOUTH PILOT PROGRAM: EXTENSION**

AB 2026, sponsored by the author, extends the sunset date of the Youth Pilot Program (YPP) from July 1, 2004 to January 1, 2009. The YPP was initially authorized in 1993 (AB 1741) and reauthorized in 2000 (SB 1352). As the Governor's designee, the California Health and Human Services Agency is responsible for certain activities related to the administration, implementation and evaluation of the YPP.

AB 2049      Nakanishi (Chapter 78)  
**FETAL ULTRASOUND**

AB 2049, sponsored by the author, requires a person or facility that offers fetal ultrasound, or similar procedure for keepsake or entertainment purposes, to make a written disclosure to a client prior to performing the procedure that the Federal Drug Administration does not approve the use of ultrasound equipment for these purposes.

AB 2307      Richman (Chapter 449)  
**HEALTH CARE PROVIDER ENROLLMENT AND CERTIFICATION**

AB 2307, sponsored by the California Primary Care Association, requires the Department of Health Services to implement, on or before July 1, 2005, a process that allows an applicant for licensure as a primary care clinic (PCC) to submit an application for participation in four specified programs for simultaneous review with the PCC's application to be licensed as a clinic and enrolled in the Medi-Cal program.

AB 2909      Salinas (Chapter 456)  
**EARLY INTERVENTION SERVICES**

AB 2909, sponsored by the California Department of Education (CDE), requires the CDE to conduct a study of the current methods of providing special instruction and other services to infants and toddlers who are deaf or hard of hearing, and to report to the Legislature by January 1, 2006. The study shall be funded, upon appropriation by the Legislature, by any available federal funds.

ACR 169      Koretz (Resolution Chapter 46)  
**POSTPARTUM MOOD AND ANXIETY DISORDER AWARENESS**

ACR 169, sponsored by the author, proclaims the month of May 2004 to be "Postpartum Mood and Anxiety Disorder Awareness Month" in California. The resolution proclaims various ways to identify mothers-to-be who are at risk for this disorder as well as ways to effectively facilitate the mother's recovery. The resolution also declares that the Department of Health Services and the Department of Mental Health work together to explore ways to improve women's access to mental health, and educate the public about this disorder.

SB 142      Alpert (Chapter 687)  
**GENETIC TESTING**

SB 142, sponsored by March of Dimes, is a clean-up measure to the health budget trailer bill, SB 1103 (Chapter 228, Statutes of 2004), to extend the deadline date from July 1, 2005 to August 1, 2005, for the Department of Health Services to initiate an expansion of screening of newborns, or be required to contract expansion testing to outside contractors.

SB 914

Bowen (Chapter 840)

**DOMESTIC VIOLENCE PREVENTION GRANT PROGRAM**

SB 914, sponsored by the author, states the intent of the Legislature to redirect the Battered Women's Shelter Program, and the sexual assault/rape crisis programs within the Office of Criminal Justice Planning (OCJP), into one program within a single state agency. This urgency bill also states that it is the intent of the Legislature to temporarily redirect victims' services programs that were previously administered by OCJP to the Office of Emergency Services (OES), with oversight by the Office of Homeland Security. This bill revises the administration of certain grant programs relating to domestic violence and sexual assault programs as administered by OES.

**PUBLIC HEALTH EMERGENCY PREPAREDNESS**

SB 431

Ortiz (Chapter 462)

**BIOTERRORISM PREPAREDNESS**

SB 431, sponsored by the Health Officers Association of California, is an urgency statute which adds \$2.3 million in expenditure authority to allow the Department of Health Services to spend federal bioterrorism preparedness grant monies received from the Centers for Disease Control and Prevention and Health Resource Services Administration.

SB 678

Ortiz (Chapter 35)

**BIOTERRORISM PREPAREDNESS: FEDERAL FUNDING**

SB 678, sponsored by the Health Officers Association of California, is an urgency statute which: 1) increases state expenditure authority to match California's federal bioterrorism preparedness award from the Centers for Disease Control and Prevention and hospital preparedness award from the federal Health Resources and Services Administration; 2) provides additional authority for allocation of smallpox preparedness costs incurred retroactively beginning in state fiscal year 2002-03; 3) provides that federal funds appropriated in the 2003-04 Budget Act for bioterrorism preparedness are available for expenditure and encumbrance through August 30, 2005; and, 4) facilitates administration of grant funds by broadening the exemption to the Public Contract Code requirements for specified bioterrorism preparedness funds.



## 2004 ENROLLED BILLS

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AB 384	Leslie	Sign	798	CD	14
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AB 658	Nakano	Sign	562	CD	14
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AB 1298	Hancock	Sign	750	PC	23
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AB 1592	Veterans Affairs	Veto	----	AD	----
AB 1629	Frommer	Sign	875	MP	8
AB 1799	Mullin	Sign	370	CD	14
AB 1822	Chan	Veto	----	DC	----
AB 1876	Chan	Sign	709	DE	19
AB 1881	Berg	Sign	655	PC	23
AB 1934	Leslie	Sign	374	DE	19
AB 1957	Frommer	Veto	----	FR	----
AB 1958	Frommer	Veto	----	MP	----
AB 1959	Chu	Sign	938	MP	9
AB 1960	Pavley	Veto	----	MP	----
AB 1963	Salinas	Veto	----	MH	----
AB 1982	Wolk	Sign	553	DC	18
AB 1988	Hancock	Veto	----	FR	----
AB 2026	Hancock	Sign	134	PC	23
AB 2049	Nakanishi	Sign	78	PC	24
AB 2086	Lieber	Veto	----	PS	----
AB 2127	Levine	Sign	636	LC	5
AB 2132	Reyes	Sign	832	CD	14
AB 2136	Goldberg	Veto	----	MP	----
AB 2139	Maze	Sign	420	CD	15
AB 2151	Jackson	Sign	851	MP	9

AB 2184	Plescia	Sign	342	LC	6
AB 2185	Frommer	Sign	711	CD	15
AB 2193	Nation	Sign	758	CD	15
AB 2248	Frommer	Sign	945	CD	15
AB 2275	Dymally	Veto	-----	CR	-----
AB 2281	Berg	Veto	-----	PC	-----
AB 2285	Chu	Veto	-----	MP	-----
AB 2301	Maze	Sign	57	CA	2
AB 2307	Richman	Sign	449	PC	24
AB 2313	Chan	Sign	141	PS	12
AB 2342	Jackson	Sign	678	DE	19
AB 2352	Jackson	Sign	121	AS	13
AB 2390	Reyes	Sign	347	PS	12
AB 2408	Yee	Veto	-----	CR	-----
AB 2409	Yee	Sign	808	LB	22
AB 2436	Bates	Sign	450	LB	22
AB 2439	Haynes	Sign	519	DE	20
AB 2445	Canciamilla	Sign	882	LG	3
AB 2504	Maldonado	Veto	-----	CD	-----
AB 2528	Lowenthal	Sign	679	DE	20
AB 2580	Goldberg	Sign	947	CH	2
AB 2632	Bogh	Sign	453	LC	6
AB 2716	Lowenthal	Sign	454	MC	7
AB 2791	Simitian	Sign	270	LC	6
AB 2816	Daucher	Sign	455	MP	10
AB 2820	Daucher	Sign	632	LC	6
AB 2821	Daucher	Sign	661	MP	10
AB 2871	Berg	Veto	-----	AS	-----
AB 2874	Diaz	Veto	-----	LC	-----
AB 2909	Salinas	Sign	456	PC	24
AB 2943	Pavley	Sign	837	DC	18
AB 3023	Matthews	Sign	351	MP	10
AB 3027	Agriculture Comm	Sign	314	FR	21
AB 3029	Matthews	Sign	584	MP	10
AB 3044	Yee	Sign	770	LC	6
AB 3092	Horton J	Sign	822	CD	16
ACR 169	Koretz	N/A	46	PC	24
AJR 61	Ridley-Thomas	N/A	111	MP	11
AJR 62	Ridley-Thomas	N/A	112	MP	11
SB 7	Brulte	Sign	476	CH	2
SB 29	Figueroa	Sign	148	MP	11
SB 96	Alpert	Sign	727	CD	16
SB 111	Knight	Sign	193	LA	4
SB 117	Machado	Sign	716	DE	20
SB 142	Alpert	Sign	687	PC	24
SB 215	Alpert	Veto	-----	PC	-----
SB 379	Ortiz	Veto	-----	MO	-----
SB 419	Scott	Sign	477	DE	20

SB 431	Ortiz	Sign	462	EP	25
SB 494	Escutia	Veto	----	PS	----
SB 598	Machado	Sign	463	MC	7
SB 678	Ortiz	Sign	35	EP	25
SB 785	Ortiz	Sign	389	MP	11
SB 914	Bowen	Sign	840	PC	25
SB 1051	Local Govt	Sign	38	DC	18
SB 1103	Bud & Fiscal Rvw	Sign	228	LA	4
SB 1144	Burton	Veto	----	MP	----
SB 1158	Scott	Veto	----	MC	----
SB 1159	Vasconcellos	Sign	608	AS	13
SB 1173	Ortiz	Sign	812	CD	16
SB 1196	Cedillo	Sign	729	MP	11
SB 1333	Perata	Veto	----	MP	----
SB 1341	Kuehl	Veto	----	MP	----
SB 1355	Aanestad	Sign	735	LB	23
SB 1358	Escutia	Sign	185	AI	1
SB 1359	Brulte	Sign	394	AI	1
SB 1360	Brulte	Sign	395	AI	1
SB 1362	Figueroa	Sign	157	DE	20
SB 1365	Chesbro	Veto	----	MP	----
SB 1444	Speier	Sign	859	FR	21
SB 1475	Vasconcellos	Veto	----	LC	----
SB 1487	Speier	Veto	----	LC	----
SB 1492	Dunn	Veto	----	LG	----
SB 1525	Speier	Veto	----	CD	----
SB 1540	Margett	Veto	----	LC	----
SB 1555	Speier	Veto	----	MC	----
SB 1563	Escutia	Veto	----	MP	----
SB 1585	Speier	Veto	----	FR	----
SB 1590	Dunn	Sign	922	LG	3
SB 1623	Johnson	Sign	337	FR	21
SB 1630	Speier	Veto	----	FR	----
SB 1644	Romero	Veto	----	CH	----
SB 1692	Vasconcellos	Veto	----	PC	----
SB 1745	Perata	Sign	509	LC	7
SB 1757	Denham	Sign	926	AD	1
SB 1760	Perata	Veto	----	LG	----
SB 1764	Speier	Sign	259	DC	18
SB 1765	Sher	Sign	927	FR	21
SB 1824	Ducheny	Veto	----	LC	----
SB 1841	Bowen	Veto	----	AD	----
SB 1842	Chesbro	Sign	43	AD	1
SB 1845	Perata	Sign	797	MP	12
SB 1847	Perata	Sign	283	DC	19
SB 1850	Machado	Veto	----	AI	----
SB 1851	Bowen	Veto	----	EO	----
SB 1892	Burton	Veto	----	AD	----

SB 1901	Alarcon	Veto	-----	EO	-----
SB 1912	Ashburn	Sign	846	CD	17
SCA 1	Burton	N/A	1	LG	3

\*See Program Assignments and Acronyms on Page 31.

## PROGRAM ASSIGNMENTS AND ACRONYMS

PROGRAM	CODE
Administration	AD
Audits and Investigation	AI
AIDS, Office of	AS
Border Health, Office of	BH
Budget Office	BO
County Health Services and Local Public Health Assistance	CA
Chronic Disease and Injury Control	CD
Center for Health Statistics	CH
Civil Rights, Office of	CR
Communicable Disease Control	DC
Drinking Water and Environmental Management	DE
Medi-Cal Drug Unit (Medi-Cal Policy Division)	DU
Environmental and Occupational Disease Control	EO
Public Health and Emergency Preparedness	EP
Fiscal Forecasting	FF
Food, Drug and Radiation Safety	FR
Health Information and Strategic Planning	HI
Information Technology Services	IT
Legislative and Governmental Affairs	LA
Laboratory Science	LB
Licensing and Certification	LC
Legal Services	LG
Long-Term Care, Office of	LT
Medi-Cal Managed Care	MC
Medi-Cal Fraud Prevention Bureau	MF
Multicultural Health, Office of	MH
Management Information System/Decisions Support Program	MI
Medi-Cal Operations	MO
Medi-Cal Policy	MP
California Partnership for Long-Term Care	MS
Primary Care and Family Health	PC
Prevention Services and Public Health	PH
Office of Medi-Cal Procurement	PR
Payment Systems	PS
Rate Development Branch (Medi-Cal Policy Division)	RD
Women's Health, Office of	WH

## SIGN MESSAGES

(Sign and Veto messages follow this index in numeric order.)

<b><u>BILL#</u></b>	<b><u>AUTHOR</u></b>	<b><u>SUBJECT</u></b>	<b><u>DIV</u></b>
AB 79	Dutra	Written Reports: Preparation	LA
AB 343	Chan	Healthy Families Program	MP
AB 371	La Suer	Blood Tests	LB
AB 384	Leslie	Tobacco Products: Correctional Facilities	CD
AB 658	Nakano	Taxpayer Contributions: Prostate Cancer Research Fund	CD
AB 685	Leno	HIV Counselors: Education and Training	AS
AB 691	Daucher	Nursing Facilities: Vaccines	LC
AB 932	Koretz	Podiatric Medicine	MP
AB 1087	Frommer	Venipuncture	LB
AB 1091	Negrete McLeod	Reportable Diseases	DC
AB 1298	Hancock	Genetically Handicapped Person's Program: California Children's Services Program: Contracts: Confidentiality	PC
AB 1299	Daucher	Hospices	LC
AB 1367	Steinberg	Medi-Cal: HIV/AIDS Pharmacy Pilot Program	MP
AB 1373	Daucher	Nursing Home Administrator: Licensing Exam.	LC
AB 1454	Canciamilla	Vector Control	DC
AB 1629	Frommer	Health and Dependent Care Facilities	MP
AB 1799	Mullin	Income Taxes: Contributions: Alzheimer's Disease	CD
AB 1876	Chan	Public Beach Sanitation	DE
AB 1881	Berg	Integrated Health and Human Services Programs	PC
AB 1934	Leslie	Bear Lake Reservoir: Recreational Use	DE

AB 1959	Chu	State Auditor: Drugs	MP
AB 1982	Wolk	Wildlife Management Areas: Mosquito Abatement	DC
AB 2026	Hancock	Youth Pilot Program: Extension	PC
AB 2049	Nakanishi	Fetal Ultrasound	PC
AB 2127	Levine	Alzheimer's Day Care – Resource Center Program	LC
AB 2132	Reyes	Pupil Health: Self-Administration of Asthma Medication	CD
AB 2139	Maze	Vehicles: Child Restraint Systems	CD
AB 2151	Jackson	Medi-Cal: Reimbursement: Community and Free Clinics	MP
AB 2184	Plescica	Health Facilities: Pharmacy Services	LC
AB 2185	Frommer	Asthma Treatment Care	CD
AB 2193	Nation	Tanning Facilities	CD
AB 2248	Frommer	Parkinson's Disease Registry	CD
AB 2301	Maze	Health Care for Indigents: Reports	CA
AB 2307	Richman	Health Care Provider Enrollment and Certification	PC
AB 2313	Chan	Health Insurance Portability & Accountability Act	PS
AB 2342	Jackson	Drinking Water: Public Health Goals	DE
AB 2352	Jackson	Residential Care Facilities: Life-Threatening Illness	AS
AB 2390	Reyes	Dentistry	PS
AB 2409	Yee	Clinical Laboratory Scientists	LB
AB 2436	Bates	Clinical Laboratory Testing	LB
AB 2439	Haynes	Canyon Lake Reservoir: Recreational Use	DE
AB 2445	Canciamilla	Advanced Health Care Directives: Registry	LG
AB 2528	Lowenthal	Public Water Systems	DE
AB 2580	Goldberg	Domestic Partnerships	CH

AB 2632	Bogh	Health Facilities: Construction Plans: Approval	LC
AB 2716	Lowenthal	Medi-Cal	MC
AB 2791	Simitian	Skilled Nursing and Intermediate Care Facilities	LC
AB 2816	Daucher	Long-Term Care	MP
AB 2820	Daucher	Adult Day Health Care: Administration	LC
AB 2821	Daucher	Care Facilities: Referrals: Medi-Cal Payment for Non-covered Services	MP
AB 2909	Salinas	Early Intervention Services	PC
AB 2943	Pavley	Mercury-Containing Vaccines	DC
AB 3023	Matthews	Disciplinary Actions: Reporting	MP
AB 3027	Agricul. Comm.	Canneries: Inspection	FR
AB 3029	Matthews	Medi-Cal Provider Reimbursement	MP
AB 3044	Yee	Prenatal Ultrasounds	LC
AB 3092	Horton J	Cigarettes	CD
ACR 169	Koretz	Postpartum Mood & Anxiety Disorder Awareness	PC
AJR 61	Ridley-Thomas	Prescription Drugs	MP
AJR 62	Ridley-Thomas	Prescription Drugs	MP
SB 7	Brulte	Marriage: Solemnization: Armed Forces	CH
SB 29	Figueroa	Medi-Cal: Accelerated Enrollment	MP
SB 96	Alpert	Public Water Systems: Fluoridation	CD
SB 111	Knight	State Reporting Requirements	LA
SB 117	Machado	Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002	DE
SB 142	Alpert	Genetic Testing	PC
SB 419	Scott	Medical Waste: Containment	DE
SB 431	Ortiz	Bioterrorism Preparedness	EP



SB 598	Machado	Confidentiality of Medical Information	MC
SB 678	Ortiz	Bioterrorism Preparedness: Federal Funding	EP
SB 785	Ortiz	Medi-Cal: Managed Health Care Plan Option	MP
SB 914	Bowen	Domestic Violence Prevention Grant Program	PC
SB 1051	Local Govt Comm.	Vectorborne Disease Account	DC
SB 1103	Budget & Fiscal Review Comm.	Budget Act of 2004: Health	LA
SB 1159	Vasconcellos	Hypodermic Needles and Syringes	AS
SB 1173	Ortiz	Tobacco Products: Self-Service Display	CD
SB 1196	Cedillo	Health Care Applications	MP
SB 1355	Aanestad	Clinical Laboratories: Cytotechnologists	LB
SB 1358	Escutia	Medi-Cal: Provider Inspections	AI
SB 1359	Brulte	Medi-Cal: Notices to Confirm Beneficiary Services	AI
SB 1360	Brulte	Rewards for Information: Recovery of Medi-Cal Funds	AI
SB 1362	Figueroa	Solid Waste: Household Hypodermic Needles, Syringes and Lancets: Disposal	DE
SB 1444	Speier	Dietary Supplements: Steroid Hormone Precursors	FR
SB 1590	Dunn	Public Records: Personal Information	LG
SB 1623	Johnson	Laboratories: Licensing and Accreditation	FR
SB 1745	Perata	Mental Health Rehabilitation Centers	LC
SB 1757	Denham	State Procurement: Vehicles	AD
SB 1764	Speier	Immunization Information Systems	DC
SB 1765	Sher	Pharmaceuticals: Marketing Practices	FR
SB 1842	Chesbro	Budget Act of 2003: Contingencies or Emergencies	AD
SB 1845	Perata	Adult Day Health Care	MP

SB 1847	Perata	Omnibus Tuberculosis Control and Prevention Act	DC
SB 1912	Ashburn	Pupil Health: Self-Administration of Medication	CD
SCA 1	Burton	Access to Government Information	LG

## VETO MESSAGES

<b><u>BILL#</u></b>	<b><u>AUTHOR</u></b>	<b><u>SUBJECT</u></b>	<b><u>DIV</u></b>
AB 358	Jackson	Gender Discrimination	CD
AB 649	Wiggins	Developmental Services: Funding: Maintenance of Effort	MP
AB 750	Matthews	Medi-Cal: Durable Medical Equipment	MP
AB 824	Matthews	In-Home Supportive Services: Wage and Benefit Increases	MP
AB 1558	Daucher	Health Care Benefits	MC
AB 1592	Veteran's Affairs Committee	Disabled Veteran Business Enterprise Program	AD
AB 1822	Chan	Schools: Pupil Immunizations	DC
AB 1957	Frommer	Prescription Drugs	FR
AB 1958	Frommer	Public Employees' Retirement System Benefits	MP
AB 1960	Pavley	Pharmacy Benefits Management	MP
AB 1963	Salinas	Public Health Outreach: Promotores de Salud	MH
AB 1988	Hancock	Schools: Irradiated Foods	FR
AB 2086	Lieber	Medi-Cal: Provider Enrollment	PS
AB 2136	Goldberg	Controlled Substances: Treatment	MP
AB 2275	Dymally	Equal Opportunity Programs	CR
AB 2281	Berg	Rural Health	PC
AB 2285	Chu	Medi-Cal: Proof of Eligibility	MP
AB 2408	Yee	Bilingual Services	CR
AB 2504	Maldonado	Nutrition	CD
AB 2871	Berg	Clean Needle and Syringe Exchange: AIDS and Hepatitis	AS

AB 2874	Diaz	Health Facilities: Access to Emergency Care	LC
SB 215	Alpert	Youth Policy	PC
SB 379	Ortiz	Statewide Health Planning and Development: Hospitals	MO
SB 494	Escutia	Health Services	PS
SB 1144	Burton	Public Contracts: Prescription Drugs	MP
SB 1158	Scott	Hearing Aids	MC
SB 1333	Perata	Prescription Drug Reimbursement	MP
SB 1341	Kuehl	Telemedicine	MP
SB 1365	Chesbro	Preventing Unnecessary Institutionalization	MP
SB 1475	Vasconcellos	Elder and Dependent Abuse	LC
SB 1487	Speier	Health Facilities: Hospital-Acquired Infection	LC
SB 1492	Dunn	Confidential Information	LG
SB 1525	Speier	Health Care: Breast Cancer and Cervical Cancer	CD
SB 1540	Margett	Hospitals: Reduction of Emergency Medical Svcs	LC
SB 1555	Speier	Maternity Services	MC
SB 1563	Escutia	Pharmacy Manufacturers: Price Regulation	MP
SB 1585	Speier	Food Safety	FR
SB 1630	Speier	Steroids and Performance-Enhancing Dietary Supplements	FR
SB 1644	Romero	Elder Death Review Teams: Access to Vital Records	CH
SB 1692	Vasconcellos	Pupils Health: Vision Appraisal	PC
SB 1760	Perata	Sovereign Immunity: Waiver: Disabilities Act	LG
SB 1824	Ducheny	Clinics: Licensure	LC
SB 1841	Bowen	Electronic Monitoring of Employees	AD

SB 1850	Machado	Medi-Cal	AI
SB 1851	Bowen	State Buildings and Publicly-Funded Schools: Standards	EO
SB 1892	Burton	Personal Services Contracts	AD
SB 1901	Alarcon	Safety in Employment: Grape Testing	EO